

GARY GIESELMAN, )  
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 Plaintiff, )  
 )  
 v. ) No. 4:08CV425 AGF  
 )  
 JEFFERSON COUNTY, et al., )  
 )  
 Defendants. )

This matter is before the Court on plaintiff's motion to proceed in forma pauperis and submission of a civil complaint. Upon review of the financial information provided in plaintiff's financial affidavit, the Court finds that plaintiff should be allowed to proceed without payment of the statutory filing fee. 28 U.S.C. § 1915(a). As a result, the motion to proceed in forma pauperis will be granted. The allegations in the complaint are substantially the same as those brought by plaintiff in a previous case, Gieselman v. City of Desoto, 4:07CV1510 AGF (E.D. Mo) ("Gieselman I"). In Gieselman I, plaintiff originally filed a 13 page complaint in which he alleged that defendants had wrongfully arrested and detained him. The Court reviewed the complaint under 28 U.S.C. § 1915(e) and dismissed those portions of it that were frivolous and ordered the remaining defendants to respond to the complaint.

Before defendants answered, plaintiff filed an amended complaint. Upon review of the amended complaint, the Court found that it was not organized in a comprehensible manner as required by the Federal Rules of Civil Procedure. So the Court ordered plaintiff to file a second amended complaint that complied with Rules 8 and 10.

Plaintiff filed a second amended complaint that contained 58 pages of rambling factual allegations, made up of 417 single-spaced, numbered paragraphs. The Court dismissed the second amended complaint without prejudice because of plaintiff's "gross failure to comply with the Federal Rules of Civil Procedure and [the] Court's previous Order."

The instant complaint is even longer than plaintiff's second amended complaint in Gieselman I; it comprises 78 pages of rambling and repetitive allegations, made up of 313 single-spaced paragraphs. As in Gieselman I, plaintiff's submission of an even longer complaint than the last has failed to get him closer to Rule 8(a)'s requirement that he set forth his claim for relief in "a short and plain statement . . ."

Because plaintiff is pro se, the Court will allow plaintiff an additional opportunity to amend his complaint. Plaintiff is directed to take notice of the pleading requirements in Rules 8 and 10 of the Rules of Civil Procedure. Plaintiff shall file an amended

complaint that conforms with these Rules no later than 20 days from the date of this Order. Failure to comply with this Order risks dismissal of this case with prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis [#2] is **GRANTED**.

**IT IS FURTHER ORDERED** that plaintiff shall file an amended complaint that complies with this Order and with the Rules of Civil Procedure **no later than 20 days from the date of this Order**.

**IT IS FURTHER ORDERED** that if plaintiff fails to comply with this Order, this action will be dismissed with prejudice.

Dated this 14th Day of May, 2008.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE